

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)
)
)
v.) Criminal No. 20-341
)
DEAMONTE LAW,) Judge Cathy Bissoon
)
Defendant.)

ORDER

Defendant's Motion (Doc. 88) for reconsideration will be denied. Reconsideration is an extraordinary remedy, used sparingly given the interests of finality and conservation of judicial resources. U.S. v. Tablack, 2022 WL 37428, *2 (D. N.J. Jan. 4, 2022) (citation to quoted source omitted). Concerns regarding finality are only sharpened here, in light of Defendant's conviction by a jury.

In order to avail himself of such extraordinary relief, Defendant is required to show an intervening change in controlling law, the need to correct clear error or to prevent manifest injustice. Tablack at *2 (citation to binding and other authority omitted). To the extent that Defendant seeks reconsideration for any reason other than the decision in *Range v. Att'y Gen.*, the Court rejects his position.

As for *Range* itself, the Court disagrees that the decision warrants reconsideration. Defendant previously failed to raise a meaningful "as applied" challenge. Assuming that he now properly may do so, the *Range* ruling, by its own terms, "is a narrow one." Range, 69 F.4th 96, 106 (3d Cir. 2023). And the predicate crime addressed in *Range* is clearly and facially distinguishable. *Compare id.* at 98 (addressing the state crime of making a false statement to obtain food stamps, as applied to that defendant) *with* Gov't's Resp. in Opp'n (Doc. 91)

(summarizing the prohibitions on Defendant's possession of a firearm, including possession while under a federal criminal justice sentence, and his prior convictions, which included possessing a firearm in furtherance of a drug trafficking crime).¹

For these reasons, and for the others stated in the government's opposition, Defendant's Motion for Reconsideration (**Doc. 88**) is **DENIED**.

IT IS SO ORDERED.

August 11, 2023

s\Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All Counsel of Record

¹ To the extent that Defendant's Motion may be viewed as presenting a facial challenge, his arguments are rejected for the same reasons stated by the government. *See Doc. 91 at 15-16.*